



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,673	12/08/2003	Srikanth Karimisetty	021756-002000US	4263
51206 7590 06/18/2007 TOWNSEND AND TOWNSEND AND CREW LLP TWO EMBARCADERO CENTER 8TH FLOOR SAN FRANCISCO, CA 94111-3834			EXAMINER PATEL, NIRAV B.	
			ART UNIT 2135	PAPER NUMBER
			MAIL DATE 06/18/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/731,673

Applicant(s)

KARIMISSETTY ET AL.

Examiner

Nirav Patel

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12/8/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the application filed on 12/08/2003.
2. Claims 1-25 are under examination.

Specification

3. The disclosure is objected to because of the following informalities: The reference to application numbers provided in page 1 needs to be updated to reflect applications that have matured into patents. Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 18-25 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 18 recites "A computer program stored on a computer-readable storage medium for searching unstructured data stored in a database, the computer program comprising:.....". Claim 18 is computer program claimed as computer listings "per se" that is, the descriptions or expression of programs, are not physical "things". They are neither computer components nor statutory processes, as they are not "acts" being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed elements of a

Art Unit: 2135

computer which permit the computer program's functionality to be realized. Further, the claimed computer-readable storage medium carrying a compute program without creating any functional interrelationship, either as part of the stored data or as part of the computing processes performed by the computer, and such descriptive material alone doesn't impart functionality either to the data as so structured, or to the computer. Therefore, claim 18 recites non-statutory subject matter.

Claims 19-25 depend on claim 18, therefore they are rejected with the same rationale applied against claim 18 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 5-8, 10, 14-18 and 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al (US Patent No. 7,136,873) in view of Schneier et al (US Patent No. 5,978,475) and in view of Chang et al (US Patent No. 6,584,459).

As per claim 1, Smith teaches:

storing a plurality of electronic records in a common repository of electronic records in the database [Fig. 1, 34 component 16], creating a security protocol that protects the electronic records against unauthorized access [Fig. 34, component 1604]; creating a

Art Unit: 2135

query designed to identify electronic records in the database that meet criteria designated in the query [Fig. 34, 27, col. 41 lines 1-11]; prior to executing the query, modifying the query in accordance with the security protocol to create a modified query [Fig. 34, col. 42 lines 1-5]; and running the modified query against the data [Fig. 34, col. 40 lines 57-61].

Smith teaches storing plurality of electronic records as shown in Fig. 34. Smith does not expressly mention that provides an audit trail that cannot be altered or disabled by users of the system.

Schneier teaches storing a plurality of electronic records in a common repository of electronic records in the database that provides an audit trail that cannot be altered or disabled by users of the system [Fig. 3, col. 6 lines 41-64, col. 12 lines 47-50].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Schneier with Smith, since one would have been motivated to generate a secure audit log [Schneier, col. 3 line 8].

Chang teaches each electronic record comprises unstructured data stored in a character large-object (CLOB) format in a column of a table of the database [Fig. 1, 3, col. 11 lines 61-67, col. 12 lines 1-19].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Chang with Smith and Schneier, since one would have been motivated to provide efficient database management system [Chang, col. 3 lines 31-33].

As per claim 5, the rejection of claim 1 is incorporated and Smith teaches:

the plurality of electronic records are generated from multiple data sources [Fig. 5].

As per claim 6, the rejection of claim 5 is incorporated and Smith teaches a predefined mapping to multiple data sources [Fig. 5].

Chang teaches the electronic records are filled with XML data based on a predefined mapping to multiple data sources [col. 2 lines 18-28, Fig. 4].

As per claim 7, the rejection of claim 1 is incorporated and Chang teaches the unstructured data is stored in character large object (CLOB) format [Fig. 3 col. 9 lines 11-26].

As per claim 8, the rejection of claim 1 is incorporated and Chang teaches the unstructured data comprises well-formed XML documents stored within a column of a table stored in the database [col. 13 lines 29-49].

As per claim 10, it encompasses limitations that are similar to limitations of claim 1. Thus, it is rejected with the same rationale applied against claim 1 above.

As per claim 14, the rejection of claim 10 is incorporated and it encompasses limitations that are similar to limitations of claim 5. Thus, it is rejected with the same rationale applied against claim 5 above.

As per claim 15, the rejection of claim 14 is incorporated and it encompasses limitations that are similar to limitations of claim 6. Thus, it is rejected with the same rationale applied against claim 6 above.

As per claim 16, the rejection of claim 15 is incorporated and it encompasses limitations that are similar to limitations of claim 7. Thus, it is rejected with the same rationale applied against claim 7 above.

As per claim 17, the rejection of claim 16 is incorporated and it encompasses limitations that are similar to limitations of claim 8. Thus, it is rejected with the same rationale applied against claim 8 above.

As per claim 18, it encompasses limitations that are similar to limitations of claim 1. Thus, it is rejected with the same rationale applied against claim 1 above.

As per claim 22, the rejection of claim 18 is incorporated and it encompasses limitations that are similar to limitations of claim 5. Thus, it is rejected with the same rationale applied against claim 5 above.

As per claim 23, the rejection of claim 18 is incorporated and it encompasses limitations that are similar to limitations of claim 6. Thus, it is rejected with the same rationale applied against claim 6 above.

As per claim 24, the rejection of claim 18 is incorporated and it encompasses limitations that are similar to limitations of claim 7. Thus, it is rejected with the same rationale applied against claim 7 above.

As per claim 25, the rejection of claim 18 is incorporated and it encompasses limitations that are similar to limitations of claim 8. Thus, it is rejected with the same rationale applied against claim 8 above.

6. Claims 2-4, 11-13 and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al (US Patent No. 7,136,873) in view of Schneier et al (US Patent No. 5,978,475) in view of Chang et al (US Patent No. 6,584,459) and in view of Kahn (US Patent No. 7,185,192).

As per claim 2, the rejection of claim 1 is incorporated and Smith teaches data access policy as shown in Fig. 34. Chang teaches: allowing a user to identify elements in the unstructured data as indexed elements [col. 14 lines 51-col. 15 lines 1-10, Fig. 4]. Smith and Chang do not expressly mention to create use the indexed elements to create the plurality of security rules.

Art Unit: 2135

Kahn teaches: the security protocol comprises a plurality of security rules [col. 10 lines 33-34]; allowing a user to identify elements in the unstructured data as indexed elements [Fig. 5, col. 22 lines 11-24]; and allowing a user to create use the indexed elements to create the plurality of security rules [col. 22 lines 11-38].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Kahn with Smith, Schneier and Chang, since one would have been motivated to provide a flexible authorization system providing robust access control mechanisms [Kahn, col. 4 lines 20-22].

As per claim 3 and 4, the rejection of claim 1 is incorporated and Smith teaches access to electronic records in the common repository is automatically granted/denied unless the security protocol restricts/grants such access [Fig. 34, col. 42 lines 59-62].

Kahn teaches

access to electronic records in the common repository is automatically granted/denied unless the security protocol restricts/grants such access and wherein the security protocol comprises a plurality of security rules that restricts access to the electronic records within the database [Fig. 6, col. 10 lines 40-49, col. 16 lines 15-20].

As per claim 9, the rejection of claim 1 is incorporated and Kahn teaches:

allowing a user to enable and disable the security protocol [col. 4 lines 43-67, col. 5 lines 1-37, 44-49].

Art Unit: 2135

As per claim 11, the rejection of claim 10 is incorporated and it encompasses limitations that are similar to limitations of claim 2. Thus, it is rejected with the same rationale applied against claim 2 above.

As per claim 12 and 13, the rejection of claim 10 is incorporated and they encompass limitations that are similar to limitations of claims 3 and 4. Thus, it is rejected with the same rationale applied against claims 3 and 4 above.

As per claim 19, the rejection of claim 18 is incorporated and it encompasses limitations that are similar to limitations of claim 2. Thus, it is rejected with the same rationale applied against claim 2 above.

As per claim 20 and 21, the rejection of claim 19 is incorporated and they encompass limitations that are similar to limitations of claims 3 and 4. Thus, it is rejected with the same rationale applied against claims 3 and 4 above.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see form 892).

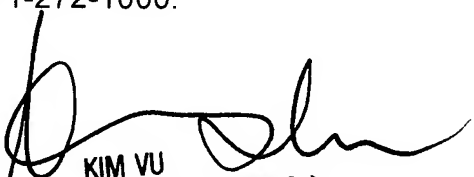
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nirav Patel whose telephone number is 571-272-5936. The examiner can normally be reached on 8 am - 4:30 pm (M-F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NBP

6/7/08


KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100